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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF KING

PATRICK S. DRAGOS,

Plaintiff,

v.

MICHAEL G. CORNEA and "JANE DOE"  
CORNEA, husband and wife, and the  
marital community composed thereof,

Defendants.

No.

**COMPLAINT FOR PERSONAL  
INJURIES IN TORT  
(AUTOMOBILE)**

COMES NOW the Plaintiff, Patrick S. Dragos, by and through his attorney, Bryan Prince-Olsen of GLP Attorneys, P.S., Inc., and complains and alleges against the above-named Defendants as follows:

**I. PARTIES**

1.1 Plaintiff Patrick S. Dragos is a resident of Auburn, King County, Washington, and resided in Auburn, King County, Washington, at all times relevant and material to this Complaint.

**COMPLAINT FOR PERSONAL  
INJURIES IN TORT (AUTOMOBILE) - 1**

GLP ATTORNEYS, P.S., INC.  
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1.2 Defendants Michael G. Cornea and “Jane Doe” Cornea, on information and belief, are residents of Portland, Cumberland County, Maine, and are believed to have resided in Seattle, King County, Washington, at all times relevant and material to this Complaint. All acts of either Defendant were done individually and for the benefit of the marital community.

## II. JURISDICTION AND VENUE

2.1 Plaintiff Patrick S. Dragos was at all times relevant and material to this Complaint, a resident of King County, Washington.

2.2 Defendants Michael G. Cornea and “Jane Doe” Cornea are, on information and belief, residents of Portland, Cumberland County, Maine.

2.3 The motor vehicle collision that is the subject of this litigation occurred in Seattle, King County, Washington. Venue is proper pursuant to RCW 4.12.020(3).

## III. FACTS

3.1 Date: Plaintiff Patrick S. Dragos’ injuries arise out of an automobile collision that occurred on October 8, 2016.

3.2 Location: The collision occurred in Seattle, King County, Washington, at the intersection of S. Jackson Street and 4<sup>th</sup> Avenue S, near King Street Station.

3.3 Details:

a. On October 8, 2016, at approximately 7:00 p.m., Patrick Dragos was driving his 2001 Audi A8 in Seattle, King County, Washington.

b. Mr. Dragos was traveling eastbound on S. Jackson Street and stopped for a

1 red light while waiting to make a left-hand turn onto 4th Ave.

2 c. Suddenly, and without warning, Mr. Dragos was violently rear-ended by a  
3 vehicle being driven by Michael Cornea while Mr. Dragos' vehicle was at  
4 a complete stop.

5 d. The force of the impact pushed Mr. Dragos' vehicle several feet into the  
6 intersection, despite his foot being on the brake at the time of impact.

7 e. Mr. Cornea admitted at the scene that he had been drinking, and he  
8 expressed concern about the police being called to the scene.

9 f. As a result of the collision, Mr. Dragos sustained injuries to his right hip,  
10 including a labral tear and femoral acetabular impingement.

11  
12 **IV. NEGLIGENCE**

13 4.1 Duty: Defendant Michael G. Cornea, through common law, statute,  
14 regulation and/or ordinance, owed Plaintiff duties to drive attentively, to maintain a safe  
15 following distance, to maintain a safe speed for conditions, to maintain a proper lookout,  
16 to not operate a vehicle while intoxicated, and to otherwise exercise ordinary and  
17 reasonable care while operating a vehicle within the State of Washington. These duties  
18 included a duty to obey all relevant rules of the road pursuant to RCW 46.61 et seq.

19  
20 4.2 Breach: Defendant Michael G. Cornea breached his duties as set forth in  
21 paragraphs 3.3 and 4.1.

22 4.3 Proximate Cause: As a direct and proximate cause of Defendant Michael G.  
23 Cornea's breach of his duties as set forth in paragraphs 4.1 and 4.2, Plaintiff Patrick S.

1 Dragos has suffered personal injuries to his right hip, including a labral tear and femoral  
2 acetabular impingement.

3  
4 **V. DAMAGES**

5 5.1 As a direct and proximate result of the negligence alleged herein, Plaintiff  
6 has suffered physical injuries, and Plaintiff is entitled to fair and reasonable compensation.

7 5.2 As a direct and proximate result of the negligence alleged herein, Plaintiff  
8 has incurred and may continue to incur medical expenses and other out-of-pocket  
9 expenses, and Plaintiff is entitled to fair and reasonable compensation.

10 5.3 As a direct and proximate result of the negligence alleged herein, Plaintiff  
11 has suffered and may continue to suffer physical pain and suffering, and Plaintiff is  
12 entitled to fair and reasonable compensation.

13 5.4 As a direct and proximate result of the negligence alleged herein, Plaintiff  
14 has suffered mental and emotional distress, loss of enjoyment of life, past and future  
15 disability, permanency of injury, and Plaintiff is entitled to fair and reasonable  
16 compensation.

17 5.5 Plaintiff is entitled to reasonable attorneys' fees.

18 5.6 Plaintiff is entitled to prejudgment interest on all medical and other out-of-  
19 pocket expenses directly and proximately caused by the negligence alleged in this  
20 Complaint.  
21

22 5.7 Plaintiff is entitled to costs and disbursements herein.  
23  
24

1                                   **VI. WAIVER OF PHYSICIAN/PATIENT PRIVILEGE**

2           6.1     Plaintiff asserts the physician/patient privilege for 88 days following the  
3 filing of this Complaint. On the 89th day following the filing of this Complaint, the  
4 Plaintiff hereby waives the physician/patient privilege.

5           6.2     The waiver is conditioned and limited as follows: (1) The Plaintiff does not  
6 waive his constitutional right of privacy; (2) the Plaintiff does not authorize contact with  
7 any of his health care providers except by judicial proceeding authorized by the Rules of  
8 Civil Procedure; (3) Defendants' representatives are specifically instructed not to attempt  
9 ex parte contacts with Plaintiff's health care providers; and (4) Defendants'  
10 representatives are specifically instructed not to write letters to Plaintiff's health care  
11 providers telling them that they may mail copies of records to the Defendants.  
12

13           In the case of Loudon v. Mhyre, 110 Wn.2d 675, 756 P.2d 138 (1988), the Supreme  
14 Court dealt very simply with the issue of ex parte contact with the Plaintiff's physicians:

15           The issue presented is whether defense counsel in a personal injury action may  
16 communicate ex parte with the Plaintiff's treating physicians when the Plaintiff has  
17 waived the physician/patient privilege. We hold that defense counsel may not  
18 engage in ex parte contact, but is limited to the formal discovery methods provided  
19 by court rule.

20           Id. at 675-676, 756 P.2d at 139.

21           Wherefore, Plaintiff prays for judgment against Defendants, jointly and severally,  
22 and prays for relief as follows:

23                                   **VII. RELIEF SOUGHT**

24           7.1     Special damages for Plaintiff in such amounts as are proven at trial.

1           7.2     General damages for Plaintiff in such amounts as are proven at trial.

2           7.3     Costs including reasonable attorneys' fees for Plaintiff as are proven at trial.

3           7.4     Prejudgment interest on all liquidated damages.

4           7.5     For such other and further relief as the court deems just, equitable and  
5 proper for Plaintiff at the time of trial.

6           DATED this 22<sup>nd</sup> day of July, 2019.

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8                               GLP ATTORNEYS, P.S., INC.

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11                              Bryan Prince-Olsen, WSBA No. 43498  
12                              Attorney for Plaintiff Patrick S. Dragos